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Laws and Rules

GOVERNING AND RELATING TO

County or District AGRICULTURAL SOCIETIES in Ohio

ISSUED BY THE STATE
BOARD OF AGRICULTURE



W. W. MILLER, SECRETARY, :: COLUMBUS, OHIO

LAWS AND RULES

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W. W. MILLER, Secretary
COLUMBUS, OHIO



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OHIO STATE BOARD OF AGRICULTURE.

SEC. 3692. [OHIO STATE BOARD OF AGRICULTURE; ANNUAL MEETING OF BOARD. ELECTION OF OFFICERS.] There shall be held in the city of Columbus on the first Thursday after the second Monday in January, an annual meeting of the Ohio state board of agriculture, together with the president of each county agricultural society or the duly authorized delegate therefrom who shall for the time being be exofficio members of the state board of agriculture for the purpose of deliberation and consultation as to the wants, prospects and conditions of agriculture throughout the state; and at such meeting the several reports from the societies shall be delivered to the president of the state board of agriculture; provided that in any county having no agricultural society, the presidents of the farmers' institutes of the county, and holding meetings under the auspices and by the direc-

tion of the state board of agriculture, or a majority thereof, are hereby authorized and empowered to choose a representative to the annual meeting, who shall upon presentation of the proper certificates be entitled to all the privileges conferred on ex officio members by this section. At this annual meeting there shall be elected two members of the state board of agriculture whose terms shall be five years and until their successors are elected. Only the presidents of county agricultural societies or the duly authorized delegates therefrom and representatives chosen by the presidents of farmers' institutes not members of the board shall be entitled to vote for members of the board.

LAWS RELATING TO COUNTY OR DISTRICT AGRICULTURAL SOCIETIES.

SEC. 3697. [AGRICULTURAL CORPORATIONS; ORGANIZATION OF DISTRICT OR COUNTY AGRICULTURAL SOCIETIES.] When thirty or more persons, residents of any county of the state, or of a district embracing one or more counties, organize themselves into an agricultural society, and adopt a constitution and by-laws and select the usual and proper officers, and otherwise conducts its affairs in conformity to the statutes of Ohio and to the rules of the state board of agriculture, and when such county or district agricultural society shall have held an annual exhibition in accordance with section 3698 of the Revised Statutes of Ohio, and made proper report to the state board of agriculture, then, upon presentation to the county auditor, of a certificate from the president of the state board of agriculture attested by the secretary of said board, that the laws of

the state and the rules of the state board of agriculture have been complied with, the county auditor of each county wherein such agricultural societies are organized, shall annually draw an order on the treasurer of the county in favor of the president of the county or district agricultural society for a sum equal to two cents to each inhabitant of the county, upon the basis of the last previous national census, but the total amount thereof shall not exceed in any county the sum of eight hundred dollars (\$800); and the treasurer of the county shall pay the same.

[CUYAHOGA COUNTY.] Provided, that where in any county containing a city of the second grade of the first class, the site for holding county fairs is situated so far from the geographical center of said county that, in the opinion of the commissioners of said county the agricultural interests of said county will best be promoted by the establishment of another and additional society and site whereupon to hold fairs; upon the organization of such additional society in the manner provided herein, said additional society shall be entitled to receive

out of the county treasury the sum provided in this section and also be entitled to the provisions of other sections of the statutes in reference to county agricultural societies.

SEC. 3698. [FOR WHAT PREMIUMS MAY BE OFFERED BY AGRICULTURAL SOCIETIES.] The several county or district societies which may be formed under the provisions of the preceding section shall, annually, offer and award premiums for the improvement of soils, tillage, crops, manures, implements, stock, articles of domestic industry, and such other articles, productions, and improvements, as they deem proper, and may perform all such acts as they deem best calculated to promote the agricultural and household manufacturing interests of the district and of the state, and shall regulate the amount of premiums, and the different grades of the same, so that it shall be competent for small as well as large farmers to have an opportunity to compete therefor; and in making their awards special reference shall be had to the profits which accrue, or are likely to accrue, from the improved mode of raising the crop, or of improving the soil,

or stock, or of the fabrication of the articles thus offered, so that the premium shall be given for the most economical mode of improvement; and all persons offering to compete for premiums on improved modes of tillage, or the production of any crops or other articles, shall be required, before such premium is adjudged to deliver to the awarding committee a full and correct statement of the process of such mode of tillage or production, and the expense and value of the same, with a view of showing accurately the profits derived or expected to be derived therefrom. Provided, that during any year, when the state board of agriculture shall hold its fair upon the grounds of any county or district agricultural society, such society shall be excused, if its board of directors so decides, from complying with the provisions of this section, and shall incur no forfeiture of its rights as such agricultural society, by reason of not holding such fair.

SEC. 3699. [MUST PUBLISH A LIST OF AWARDS, ETC.] County and district societies shall publish, annually, a list of awards, and an abstract of the treas-

urer's account, in a newspaper of the district, and make a report of their proceedings during the year, and a synopsis of the awards for improvements in agriculture and household manufactures, together with an abstract of the several descriptions of these improvements, and also make a report of the condition of agriculture in their county or district, which report shall be made in accordance with the rules and regulations of the state board of agriculture, and shall be forwarded to the state board at its annual meeting in January in each year; and no subsequent payment shall be made from the county treasury unless a certificate be presented to the auditor, from the president of the state board, showing that such reports have been made.

SEC. 3700. [COUNTY SOCIETIES ERECTED INTO CORPORATIONS.] All county societies which have been or may hereafter be organized are declared bodies corporate and politic, and as such shall be capable of suing and being sued, and of holding in fee simple such real estate as they have heretofore purchased or

may hereafter purchase as sites whereon to hold their fairs.

[MAY MORTGAGE REAL ESTATE TO RE-NEW DEBTS; PROVISIO.] Such societies shall have the right to mortgage the grounds of the society for the purpose of renewing or extending pre-existing debts, and for the purpose of furnishing money to purchase additional land. Providing that where the county commissioners have paid money out of the county treasury to aid in the purchase of the site of said grounds, no mortgage shall be given without the consent of said commissioners.

SEC. 3701. [CONVEYANCES TO SUCH SOCIETIES DECLARED VALID.] All deeds, conveyances, and agreements in writing, made to and by such county societies, for the purchase of real estate as sites whereon to hold their fairs, shall be good and valid in law and equity, and shall vest a title in fee simple in such societies to the real estate, without words of inheritance.

SEC. 3702. [COMMISSIONERS MAY ASSIST AGRICULTURAL SOCIETIES IN PURCHASING, ETC., SITES FOR FAIRS; LEVY OF TAX.] When a county society has pur-

chased, or leased for a term of not less than twenty years, real estate as a site whereon to hold fairs, or where the title to the grounds is vested in fee in the county, but the society has the control and management of the lands and buildings, the county commissioners may, if they think it for the interests of the county, and society, pay out of the county treasury the same amount of money for the purchase or lease and improvement of such site as is paid by such agricultural society or individuals for such purpose; and such commissioners may levy a tax upon all the taxable property of the county sufficient to meet the provisions of this section.

SEC. 3702-1. [SUBMISSION OF QUESTION OF ISSUING BONDS TO LIQUIDATE DEBT OF COUNTY AGRICULTURAL SOCIETY.] In all counties in which there may be a county agricultural society which has purchased a site whereon to hold fairs, or where the title to such grounds is vested in fee in the county, and such society has become indebted to an extent of not less than fifteen thousand dollars, upon the presentation of a petition signed by not less than five hundred res-

ident electors of the county, praying for the submission to the electors of the county of the question whether or not the bonds of the county shall be issued and sold for the purpose of liquidating the indebtedness of such society, it shall be the duty of such county commissioners within ten days thereafter, by resolution, to fix a date which shall be within thirty days, upon which the question of issuing and selling such bonds, in amount and denomination such as may be necessary for the purpose in view, shall be submitted to the electors of the county, and shall cause a copy of such resolution to be certified to the deputy state supervisors of elections of the county, and such deputy state supervisors of elections shall, within ten days thereafter, proceed to prepare the ballots and make all other necessary arrangements for the submission of such question to the electors of such county, at the time fixed by such resolution. Such election shall be held at the regular places of voting in such county and shall be conducted, canvassed and certified in the same manner, except as otherwise pro-

vided by law, as elections for the election of county officers. Fifteen days' notice of the submission shall by the deputy state supervisors of elections, be given by publication in one or more newspapers published in the county once a week for two consecutive weeks, stating the amount of bonds to be issued, the purpose for which they are to be issued, and the time and places of holding such election; and if the majority of the voters voting upon the question of issuing the bonds vote in favor thereof, then and not otherwise the bonds shall be issued, and the tax hereinafter mentioned shall be levied. Those who vote in favor of the proposition shall have written or printed on their ballots "for the issue of bonds" and those who vote against the same shall have written or printed on their ballots "against the issue of bonds."

SEC. 3702-2. [BONDS.] In the event that a majority of the voters of such county voting upon the question of issuing the bonds vote in favor thereof, it shall be the duty of the board of county commissioners, for the purpose of liquidating such indebtedness, to issue and sell the bonds of the county according to

law, in such amount as may be necessary, and bearing interest not to exceed six per cent. per annum, payable semi-annually:

[LEVY.]. Said bonds to be issued for a period of not less than ten nor more than twenty years; and such county commissioners shall thereupon levy a tax upon all the taxable property upon the duplicate of the county to pay such bonds as they may mature and the interest thereon, at such rate and for such length of time as may be necessary for the purpose.

SEC. 3702-3 [PROCEEDS USED IN LIQUIDATION OF DEBT.] The county commissioners, upon the sale of such bonds, shall, from the proceeds arising from such sale, pay off and liquidate the indebtedness for which they were sold.

SEC. 3702-4. [MONEY RAISED FOR COUNTY AGRICULTURAL SOCIETIES APPLIED TO PURPOSES INTENDED BY ACT THOUGH LIFE OF ACT EXPIRED.] Where money has been raised by taxation in any county for the purpose of leasing lands for county fairs, or for the purpose of erecting buildings for county fair purposes, or for making any improve-

ments on county fair grounds, or for any purpose connected with the use of county fair ground or the management thereof by any county agricultural society, shall be used for such purpose only, notwithstanding the law under which money was raised by taxation may have expired by limitation; such moneys shall be used for the purposes intended by the act under which such moneys were levied and collected by taxation.

SEC. 3702a. [COMMISSIONERS IN CERTAIN COUNTIES MAY ASSIST AGRICULTURAL SOCIETIES IN PURCHASING, LEASING OR IMPROVING SITES FOR FAIRS.] When a county society in a county containing a city of second grade of the first class has purchased or leased for a term of not less than twenty years, real estate as a site whereon to hold fairs, or when the title to the grounds is vested in fee in the county, but the society has the control and management of the lands and buildings the county commissioners may if they think it for the interests of the county and society, pay out of the county treasury the same amount of money for the purchase or lease and improvement of such site or either of them

as is paid by such agricultural society or individuals for such purpose or either of them, and such commissioners may levy a tax upon all the taxable property of the county sufficient to meet the provisions of this section.

SEC. 3702*b*. [AGRICULTURAL CORPORATIONS; COMMISSIONERS MAY LEVY TAX FOR ENCOURAGEMENT OF AGRICULTURAL FAIRS.] When a county has purchased or leased for a term of not less than twenty years, real estate as a site whereon to hold fairs, or where the title to the grounds is vested in fee in the county agricultural society, or in the county, the agricultural society has the control and management of the lands and buildings, or when such lands and buildings are held by lease from any such society by another society, association or incorporated company, the county commissioners are authorized for the purpose of encouraging agricultural fairs, to annually levy taxes of not exceeding one-tenth of one mill upon all the taxable property of the county, for the purpose of raising not to exceed one thousand dollars in any county, which sum shall be paid by the treasurer of the county to the treasurer

of the agricultural society, except in case of such lease by such society when such sum shall be paid to the treasurer of such lessee society, association, or incorporated company upon an order from the county auditor duly issued therefor; and the county commissioners, prior to the levy of any such tax, may, if they think it for the interest of the county and society, pay out of the treasury any sum not exceeding one thousand dollars, as herein provided, out of the money in the general fund not otherwise appropriated.

SEC. 3703. [COUNTY COMMISSIONERS MAY PURCHASE FAIR GROUNDS.] If a county society and the county commissioners decide that the interests of the society and county demand an appropriation from the county treasury for the purchase and improvement of county fair grounds greater than that authorized by the preceding section, or without any action of or purchase by the society, the commissioners may levy a tax upon all the taxable property of the county, the amount of which shall be fixed by the commissioners, but shall in no event exceed one-half of one mill on the dol-

lar of the taxable property of the county in addition to the amount authorized in the last section to be paid for such purpose.

SEC. 3704. [THE TAX MUST BE SUBMITTED TO THE ELECTORS.] No such additional tax shall be levied until the question as to the amount to be levied has been submitted by the commissioners to the qualified electors of the county at some general election, and a notice of which, specifying the amount to be levied, has been given at least thirty days previous to such election, in one or more newspapers published and of general circulation in the county; those voting at such election in favor of such tax shall have written or printed on their ballots "Agricultural tax, Yes," and those voting against the same, "Agricultural tax, No," and if a majority of the votes cast be in favor of paying such tax, the same may be levied and collected as other taxes; and when such tax is collected by the county treasurer, the auditor shall issue his order for the amount so collected to the treasurer of the county agricultural society, on his filing with the auditor an undertaking, in double the amount

so collected, with good and sufficient sureties to be approved by the auditor, conditioned for the faithful paying over and accounting to such society for such funds.

SEC. 3705. [WHEN REAL ESTATE VESTS IN THE COUNTY.] When a society is dissolved or ceases to exist, in any county where payments have been made for real estate, or improvements upon such real estate, or for the liquidation of indebtedness, for the use of such society, all such real estate and improvements shall vest in fee simple in the county by which such payments were made.

SEC. 3705a. [INSURANCE ON FAIR GROUND PROPERTY.] That the county commissioners of any county are hereby authorized to keep insured all buildings owned by the county agricultural society, or by the county, for the benefit of the county agricultural society, or the county, as the case may be, if deemed proper by said commissioners.

SEC. 3706. [SOCIETIES MAY SELL OR LEASE, AND PURCHASE OR LEASE OTHER SITES.] When a county society desires to sell its site for holding county fairs, for the purpose of purchasing another

site, or whenever such site shall have for any reason become unfit or insufficient for the purposes for which it is intended and used, and the board of directors of such agricultural society shall, at a regular meeting thereof, by a vote of at least a majority of all the members of said board, upon a call of the yeas and nays, adopt a resolution for the purpose of securing the benefits of this act, declaring that they desire to sell such site for the purpose of purchasing another site, or that such site has become unfit or insufficient as aforesaid, and that it is necessary and for the best interests of such agricultural society and such county, that such site be sold or leased, and a new site purchased or leased, for holding county fairs in such county, it shall be lawful for such agricultural society to sell or lease such old, unfit or insufficient site for holding county fairs, and to purchase or lease a new site, as hereinafter provided; provided, that in cases where the county has paid all or any portion of the purchase money for the site proposed to be sold or leased, the written consent of the county commissioners shall first be given to such sale

or lease. Within thirty days after the passage of such resolution said board of directors shall give notice in writing to the county commissioners of such county of the adoption of said resolution, declaring the necessity of selling or leasing such site and of purchasing or leasing a new site, which notice shall contain or have annexed thereto a certified copy of said resolution, signed by the president and secretary of the board of directors.

SEC. 3706a. [WHEN COUNTY COMMISSIONERS SHALL COMPLETE AND CARRY OUT CONTRACTS BY SUCH SOCIETY.] That whenever such agricultural society shall have given notice to the county commissioners as above provided, and shall have selected, or secured options for the purchase or lease of a new site for holding county fairs in such county, the board of directors of such society shall immediately give notice of all of such facts to the county commissioners, which said notice shall, in the event such old, unfit or insufficient site is sold or leased before the purchase or lease of the new site, state the amount for which such old, unfit or in-

sufficient site was sold or leased, and shall also state the amount of money necessary to acquire by purchase or lease such new site, and the terms and conditions of the purchase or lease thereof, together with a full description of the tracts or parcels of land and improvements thereon, included in such new site. After the filing of the several notices herein provided for, the county commissioners may proceed to complete and carry into effect any contract or contracts which such agricultural society may have made for the purchase or lease of said new site.

SEC. 3706b. [PROVISION FOR PAYMENT FOR SUCH PURCHASE OR LEASE OF LANDS.] That the payment for the purchase or lease of the parcels or tracts of land included in such new site, and the improvements, buildings and structures thereon, may be made by the county commissioners from any unappropriated funds in the county treasury at the time said payment is to be made, and if no such funds are in the county treasury at such time, then the county commissioners may issue the bonds of the county for such amounts as may be necessary for

the purchase or lease of said land and the improvements thereon; provided, that in the event such old, unfit or insufficient site is sold or leased before such new site is purchased or leased, said agricultural society shall, in making said payment, first apply the moneys realized from the sale or lease of such old, unfit or insufficient site to the purchase or lease of the new site; and in the event such old, unfit or insufficient site is sold or leased after the purchase or lease of such new site, the amounts realized from such sale or lease shall be placed to the credit of the sinking fund for the redemption of the bonds to be issued as hereinafter provided. Such bonds shall bear interest at a rate not to exceed five (5) per cent. per annum, payable semi-annually, and shall not be sold at less than their par value, and shall be payable at such place, and at such times, and in such denominations, as said county commissioners shall determine; and to provide for the payment of said bonds and the interest thereon the said county commissioners are hereby authorized to levy such annual taxes on all the taxable property of the county, as may be neces-

sary to create and provide a sinking fund for the redemption of such bonds at maturity and the interest accruing thereon. Said levy shall be collected and accounted for to the county treasurer of the county in the manner provided for the collection of other taxes. Before issuing such bonds, the commissioners shall, by resolution, submit to the qualified electors of the county at the next general election for county officers held not less than thirty days after receiving from such agricultural society the notice provided for in section 3706, the question of issuing and selling such bonds, in amount and denomination as may be necessary for the purpose in view, and shall cause a copy of such resolution to be certified to the deputy state supervisors of elections of the county, or their successors in office, or other proper officer or officers having charge of the supervision of elections, and such deputy state supervisors of elections, or their successors in office, or other proper officer or officers having charge of the supervision of elections, shall place the question of issuing and selling such bonds upon the

ballot and make all other necessary arrangements for the submission of such question to the qualified electors of such county, at the time fixed by the resolution. The votes cast upon such question shall be counted, canvassed and certified in the same manner, except as otherwise provided by law, as votes cast for county officers. Fifteen days' notice of such submission shall be given by the deputy state supervisors of elections, or their successors in office, or other proper officer or officers having charge of the supervision of elections, by publication once a week for two consecutive weeks in two or more newspapers published in the county, stating the amount of bonds to be issued, the purpose for which they are to be issued, and the time and places of holding such elections. Said question shall be stated on the ballot as follows: "For the issue of county fair bonds, yes;" "For the issue of county fair bonds, no;" and if the majority of the voters voting upon the question of issuing the bonds are in favor thereof, then and not otherwise shall such bonds be issued, and the tax hereinbefore mentioned be levied.

SEC. 3706c. [CONTROL AND MANAGEMENT OF LANDS WHERE TITLE IS VESTED IN COUNTY COMMISSIONERS.] That where the title to the grounds and improvements occupied by agricultural societies is vested in the county commissioners, the control and management of such lands and improvements shall be vested in the board of directors of such agricultural society so long as the same shall be occupied and used by such society for holding agricultural fairs, and all moneys realized by said agricultural society in the holding of county fairs and derived from renting or leasing said grounds and buildings, or portions thereof, in the conduct of said county fairs or otherwise, over and above the necessary expenses thereof, shall be paid into the county treasury of said society to be used as a fund for keeping said grounds and buildings in good order and repair, and in making such other improvements as may from time to time be deemed necessary by the directors of said society.

SEC. 3707. [HOW CONVEYANCES TO BE EXECUTED.] Conveyances of ground sold under the preceding section, which

are owned exclusively by any society, may be executed by the president of the society as such president; and grounds owned partly by the society and partly by the county may be conveyed by deed executed by the president of the society, as such president, and by the county commissioners.

SEC. 3708. [SOCIETY CAN NOT INCUMBER ITS GROUNDS.] When the commissioners of any county have paid, or hereafter pay, any money out of the county treasury, for the purchase of real estate as a site for any agricultural society whereon to hold its fairs, such society shall not incumber such real estate with any debt, by mortgage or otherwise, without the consent of the commissioners.

SEC. 3708-1. [AGRICULTURAL CORPORATION; COUNTY AGRICULTURAL SOCIETY MAY DONATE LAND TO MUNICIPALITY FOR CERTAIN PURPOSES.] When a county agricultural society has purchased real estate, as a site whereon to hold fairs, or where the title to the grounds is vested in fee simple, in the county, but the society has the control and management of the lands and build-

ings; and all or a part of said real estate is situated within the corporate limits of any city or village, such agricultural society may, with the consent and approval of the county commissioners, give to such city or village, by deed, a lot or strip of ground, not more than fifty feet in width by two hundred feet in length, to be held by such city or village, in fee simple, for the purpose of erecting and maintaining thereon a fire engine or hose house, to be used in connection with the fire department of such city or village. The lot, so donated, shall abut on a public street or highway and shall be located in such part of the fair grounds as the society may direct.

SEC. 3709. [INCORPORATION OF TOWNSHIP SOCIETIES.] When any number of natural persons of any township form a society for the promotion of agriculture in such township, and under their hands and seals make a certificate, and acknowledge the same before a justice of the peace, in which shall be specified the name of the society, the objects of its formation, and the township in which it shall be located, and file the same in the office of the secretary of state, such so-

ciety shall be deemed a body corporate, with succession, and with power to sue and be sued, defend and be defended, and contract and be contracted with, may make and use a common seal, and the same alter at pleasure, and may purchase, and hold in fee simple, or rent or lease, such real estate as may be required as a site for holding fairs, not exceeding forty acres, and establish all necessary rules and regulations for the management of such fairs and the legitimate business of the society.

SEC. 3710. [JUSTICES OF THE PEACE MAY APPOINT SPECIAL CONSTABLES.] A justice of the peace may, on the application of a state, county, township, or an independent agricultural society, or industrial association, appoint a suitable number of special constables to assist in keeping the peace during the time when such society is holding its annual fair, and shall make an entry in his docket of the number and names of all such persons so appointed.

SEC. 3711. [POWERS OF SUCH CONSTABLES.] Constables so appointed shall have all the power of constables to suppress riots, disturbances, and breaches

of the peace; they may, upon view, arrest any person guilty of a violation of any of the laws of the state, and may pursue and arrest any person fleeing from justice in any part of the state; and they may apprehend any person in the act of committing an offense, and, upon reasonable information, supported by affidavit, procure process for the arrest of any person charged with a breach of the peace, and forthwith bring such person before the competent authority, and enforce all the laws for the preservation of good order.

SEC. 3712. [DUTIES OF CERTAIN OFFICERS TO SUPPRESS SALE OF LIQUOR AT FAIRS.] A judge of any court, sheriff, coroner, justice of the peace of the proper county, a constable of the proper township, or the constables specially appointed, shall, upon view or information, without warrant, apprehend any person selling intoxicating liquors in violation of law at or within two miles of the place where an agricultural fair is being held, and seize the booth, tent, wagon, carriage, stand, vessel, or boat at or from which such liquors are being sold, and convey the same to a place of safe keep-

ing, and take the person so offending before some officer having competent jurisdiction, together with an inventory of the things so seized, and the officer before whom such offender is brought shall proceed forthwith to inquire into the truth of the accusation, and proceed as provided by law.

SEC. 3713. [HOW ARTICLES SEIZED TO BE DISPOSED OF.] The articles so seized shall be bound for the payment of all fines and costs assessed against the accused in the proceeding, including the necessary expenses of seizing and detaining the same, and shall remain in the possession of the officer who makes the seizure until the determination of the prosecution, and may be sold on process issued therein against the accused.

SEC. 3713-7 [TRESPASS.] That whenever any person or persons, corporation or association, whether incorporated or otherwise, shall be possessed of, as owners, or shall have the lawful custody of any tract or parcel of land within this state, for the purpose of an agricultural or other fair grounds, or for the purpose of meetings of pioneers, or for public or private entertainments or other

lawful assemblages, or for the protection of trees, plants and shrubs, or either of them, or the fruits and products thereof, or for any one or all of said purposes, it shall be unlawful for any person or persons to enter or go upon said grounds, either through or over any fence, or in any manner, without the consent and permission of the owner or owners thereof, or other person having lawful control of the same, or in violation of the regulations of the same; and, in case of the holding a state, county, township, or independent fair, it shall be unlawful for any person or persons to injure, molest, remove or in any way to disturb any exhibits or property of any kind contrary to the rules of the state, county, township or independent board or society, or industrial association, under the control and management of which said fair may be held.

SEC. 3713-8. [PENALTY.] Whoever shall wilfully, and in violation of the provisions of section 3713-7 of the Revised Statutes of Ohio, enter or go upon any lands referred to in said section, or shall injure or destroy any tree, plant, shrub or other property thereon, or shall take

or carry away any fruit, nut or other thing of value, or shall wilfully damage or destroy any fence enclosing said lands, or shall injure, molest, remove or in any way disturb any exhibit or property of any kind contrary to rules, shall on conviction thereof be fined in any sum not exceeding three hundred dollars nor less than five dollars, or be imprisoned in the jail of the proper county, or in any city, town, or village prison or lockup (when the offense shall have been committed within the corporate limits thereof) for any period not exceeding three months, and until said fine and costs are paid, or both fine and imprisonment, at the discretion of the court; and shall moreover be liable, in a civil action to the party damaged thereby, in double the value of the property taken, carried away or destroyed, and in double the amount of the damage thereto, to be recovered before a justice of the peace or other court of competent jurisdiction.

SEC. 3713-9. [PROSECUTIONS HERE-
UNDER.] Prosecutions under and by
virtue of this act, may be by indictment
in the court of common pleas in the

county where the offense shall have been committed, or before a justice of the peace of such county, or before the mayor of a city, town or village, when the offense shall have been committed within the corporate limits of the same.

SEC. 3713-10. [PROCEEDINGS FOR APPROPRIATION OF LANDS FOR ENLARGEMENT OF FAIR GROUNDS.] When it shall be deemed necessary by the board of directors of any county agricultural society to enlarge the fair grounds under the control of such society, and the owner or owners of the proposed addition to said grounds and the said board of directors are unable from any cause to agree upon the sale and purchase of said additional grounds, the board shall make an accurate plat and description of the land which it desires for said purpose and file the same with the probate judge of the proper county; and thereupon the same proceedings of appropriation shall be had which are provided for the appropriation of private property by municipal corporations, said board to act for such society therein as the council would for the municipal corporation.

SEC. 3713-II. [BOARD OF DIRECTORS TO PROSECUTE PROCEEDINGS.] That if under any existing law, it is made the duty of the county commissioners to purchase any such additional grounds for the use of any such society, said board of directors shall prosecute the said proceedings of appropriation to their final conclusion, except so far as relates to payment, or any part of the purchase money, before said commissioners shall be called upon to act in the matter. All such payments or deposits, not exceeding fifteen thousand dollars (\$15,000) in amount, shall be made by said commissioners when required so to do by said board of directors, or by the court, and no delay on the part of said commissioners shall defeat or prevent the purchase or appropriation aforesaid.

SEC. 4183. [COUNTY AUDITOR TO TAKE POSSESSION OF AND SELL ESCHATEED LANDS.] Any real property escheated to the state, except in a city of the first grade of the first class, shall be taken possession of, in the name of the state, by the auditor of the county in which it is found, and by him sold at public auction, at the county seat of the

county, to the highest bidder, after having given thirty days' notice of such intended sale, in some newspaper printed within the county.

SEC. 4184. [APPRAISAL, TERMS OF SALE, AND DEED.] The court of common pleas shall, on the application of the county auditor, appoint three disinterested freeholders of the county, to appraise such real property, who shall be governed by the same rule as appraisers in sheriffs' or administrators' sales; and the auditor shall sell such property at not less than two-thirds its appraised value, and may, in his discretion, sell the same for cash, or for one-third cash, and the balance in equal annual payments, the deferred payments to be amply secured; upon the payment of the whole amount of consideration money, he shall execute a deed to the purchaser, in the name and on behalf of the State of Ohio; and the proceeds of such sales shall be paid by the auditor to the county treasurer.

SEC. 4185. [WHEN LANDS SOLD, HOW PROCEEDS DISPOSED OF.] The county treasurer shall pay the proceeds, not exceeding six hundred dollars in any case, of a sale of escheated lands to the regu-

larly organized agricultural society within the county, and the excess of such proceeds, or the whole thereof, if there be no such society within the county, to the treasurer of the state, as other moneys collected for state purposes, for the use of the state agricultural fund.

SEC. 4221-7. [FRAUDULENT ENTRY OF HORSE IN CONTEST OF SPEED.] In order to encourage the breeding of, and improvement in trotting, running and pacing horses in the state of Ohio, it is hereby made unlawful for any person or persons, knowingly to enter or cause to be entered for competition, or to compete for any purse, prize, premium, stake or sweepstakes offered or given by any agricultural or other society, association or person or persons in the state of Ohio, any horse, mare, gelding, colt or filly under an assumed name or out of its proper class where such prize, purse, premium, stake or sweepstake is to be decided by a contest of speed.

SEC. 4221-8. [PENALTY.] That any person or persons found guilty of a violation of section 1 (4221-7) of this act shall, upon conviction thereof be imprisoned in the Ohio penitentiary for a

period of not less than one year nor more than three years.

SEC. 422I-9. [CHANGE OF NAME FOR PURPOSE OF ENTRY.] That the name of any horse, mare, gelding, colt or filly for the purpose of entry for competition in any contest of speed, shall not be changed after once having contested for a prize, purse, premium, stake or sweepstakes, except as provided by the code of printed rules of the society or association under which the contest is advertised to be conducted.

SEC. 422I-10. [CLASS DETERMINED BY PERFORMANCE.] The class to which a horse belongs for the purpose of an entry in any such contest of speed shall be determined by the public performance of said horse in said former contest or trial of speed, as provided by the printed rules of the society or association under which the proposed contest is advertised to be conducted.

SEC. 422I-11 [CHEATING BY FALSE PRETENSE.] Whoever, for the purpose of competing for purses or premiums, knowingly and designedly enters or drives any horse, gelding, mare, colt or filly that shall have been painted or dis-

guised, or represents any other or different horse, gelding, mare, colt or filly from the one which is purported to be entered, or shall, knowingly and designedly, for the purpose of competing for purses or premiums, enter or drive a horse, gelding, mare, colt or filly in a class to which it does not properly belong, shall be deemed guilty of cheating by false pretense and shall be punished by a fine and imprisonment as provided in section 2 (422I-8) of this act.

SEC. 422I-12. [PENALTY.] Any person or persons knowingly misrepresenting or fraudulently concealing the public performance in any former contest or trial of speed, [of] any horse, gelding, mare, colt or filly which he or they propose to enter for the competition in any such contest, shall, upon conviction thereof, be liable to the same punishment as is provided in section 2 (422I-8) of this act, whether he or they shall succeed in making said entry or not.

SEC. 6884. [SETTING UP OBSTRUCTION ON PUBLIC SIDEWALK.] Whoever sets up any table, stand, tent, wagon or other article, to use or let for profit, on a public footwalk or sidewalk con-

structed according to law, by any person, or any board of education, the council of any municipal corporation, the trustees of any cemetery association, the trustees of any township, or any agricultural or religious society, or rides, drives, leads, or hitches any horse or other animal on such footwalk or sidewalk, or in any other way obstructs the same, or digs up or removes any of the material of which the same is composed, shall be fined not more than twenty-five nor less than five dollars, or imprisoned not more than ten days, or both.

SEC. 6946. [PROHIBITING SALE OF INTOXICATING LIQUORS AND KEEPING HOUSES OF ILL FAME AT CERTAIN PLACES; ABATEMENT OF NUISANCE.] Whoever sells intoxicating liquor or keeps a house of ill-fame at or within twelve hundred yards of the administration or main central building of the Columbus state hospital, Dayton state hospital, Athens state hospital, Toledo state hospital, soldiers' and sailors' orphans' home, or any other orphans' home in this state, except in cities of the first class, or within two miles of the boundary line of the boys' industrial school, south of

Lancaster, Fairfield county, or within two miles of the place where any agricultural fair is being held, or within one mile of any county childrens' home of any county of the state situated within one mile of any incorporated village or city in which the sale of intoxicating liquor is prohibited by an ordinance of such village or city, made in pursuance of the act entitled "An act providing against the evils resulting from the traffic in intoxicating liquors" passed March 11, 1897, shall be fined not more than one hundred nor less than twenty-five dollars, or imprisoned not more than thirty days, or both, and on conviction of the owner or keeper thereof the place wherein such liquors are sold, shall, by order of the court, be shut up and abated as a nuisance; but nothing in this section shall be so construed as to prevent a regular dealer in intoxicating liquors from doing business and selling the same, at his usual place of business within two miles of the place where any agricultural fair is being held.

SEC. 7006. [EXHIBITIONS AND TEMPORARY BUSINESS AT FAIRS PROHIBITED.].
Whoever exhibits or shows any natural

or artificial curiosity for any price or gain, or sets up to let or use for profit any swing, revolving swing, flying horses, whirligigs or other device, or whoever establishes a temporary place of business for the sale of any article whatsoever, or offers for sale any such article except as a regular established dealer in such article at his usual place of business, within one-fourth of a mile of the fair ground of any agricultural society, while the fair of such society is being held therein, unless he has obtained written permission of the board of such society, shall be fined not more than one hundred dollars nor less than one dollar.

RULES FOR THE ORGANIZATION AND MANAGEMENT OF COUNTY OR DIS- TRICT AGRICULTURAL SOCIETIES.

Adopted by the State Board of Agriculture.

RULE 1. Members of a county or district agricultural society must be residents of the county or district, and shall pay annually such membership fees as may be prescribed by the constitution or by-laws of the society; said fees to be paid to the secretary or treasurer of the society prior to the last day of each annual fair, who shall issue membership tickets to those who pay prescribed membership fees; and no one shall be permitted to pay for, or secure, more than one membership, and that for himself.

RULE 2. The board of directors, for the management of a county or district agricultural society, shall consist of not less than ten members, and not more than one member from a township, except that in the township in which the

fair is held there may be two members elected; and from each township, other than the township in which the fair is held, having a city or town with a population exceeding seven thousand (7,000) at the last federal census, there may be one additional member elected. The tenure of office shall be so arranged that the terms of from one-fifth to one-half of the members shall expire annually, and the term of office shall be not less than two or more than five years, and the constitution or by-laws of the society shall provide for an election annually of a portion of the members of the board. In case a member removes from the township he represents, and from which he was elected, to another township that has a member of the board, a vacancy shall be declared. In case of a vacancy in the board, from whatever cause, such vacancy may be filled by appointment of the board until the next annual election, when a member shall be elected for the unexpired term.

RULE 3. On the last Saturday of January, annually, unless otherwise prescribed by special legislative enactment, an election shall be held to select by

ballot members of the board of directors, whose terms of office shall be not less than two years and not more than five years from date of election, as may be provided in the constitution or by-laws, and until their successors are chosen. Only *bona fide* members of the society shall be entitled to vote. Candidates for members of the board of directors must be members of the society. In case of first organization of a society, the full number of members of the board shall be elected, and their terms of office determined as may be agreed upon by the members of the society, but so arranged that annually thereafter an election shall be held for the number of members provided in the constitution or by-laws.

RULE 4. The secretary shall give members of the society due notice of the time and place of the annual election, three weeks prior to the holding thereof, either by publication in at least two newspapers of general circulation in the county, or by letter or circular mailed or otherwise delivered to the address of each member. The election shall be by ballot, and at the closing of the polls the ballots shall be counted by three tellers,

appointed by the president, and the results publicly announced by the president. Candidates shall have the privilege to witness the count, either in person or by substitute.

RULE 5. The secretary or treasurer shall keep a membership book, in which shall be recorded the names and post-office addresses of all the members of the society. Said membership book shall be at the polling place on the day and hours of election, to verify the membership. No person shall be entitled to vote without having, in proper manner, become a member of the society.

RULE 6. The board of directors, at its first meeting after the annual election shall organize by the election of a president, vice-president, secretary and treasurer, whose terms of office shall be one year, and until their successors are elected, unless otherwise provided in the constitution or by-laws of the society. The president and vice-president shall be chosen from the membership of the board of directors; and all officers shall be members of the society. Only members of the board of directors duly

elected by the society, shall have the right to vote at the meeting of the board.

RULE 7. Each county or district agricultural society may pay to its secretary and treasurer stipulated annual salaries for their services, but in no case shall other officers or members of the board of directors be paid any sum or sums to exceed their actual and necessary expenses in attending meetings of the board and conducting the affairs of the annual exhibitions; nor shall any funds, accumulations, profits or property of the society, or any portion or part thereof, be in any manner, except as above, used, expended, delivered to or for, the individual benefit of any member or officer of the board of directors, or any other person or persons, as a share, gift or dividend in the proceeds or property of the society.

RULE 8. Each county or district agricultural society shall deliver to the state board of agriculture, during, or before, the annual meeting provided for in Section 3692, Revised Statutes, a report embracing the offers and awards of premiums, receipts, disbursements, etc., of the last annual fair held by the society,

signed by the president and attested under oath by the secretary, that the laws of the state and the rules of the state board of agriculture, for the organization and management of county or district agricultural societies, have been complied with fully. The president of the state board of agriculture will not issue certificate for per capita allowance unless this report is made in proper form.

RULE 9. Each county or district agricultural society in Ohio, organized and managed in accordance with the laws of the state and the rules of the state board of agriculture, is entitled to representation in the annual meetings of the state board of agriculture, as provided in Section 3692 of the Revised Statutes of Ohio. In case a society shall be represented by a "duly authorized delegate" other than its president, said delegate shall be required to present a properly executed certificate, signed by the president of the society, setting forth that he has been regularly selected as delegate and is duly authorized to represent his society; otherwise he will not receive official recognition.

RULE 10. County or district agricultural societies may offer and award premiums to exhibitors without restriction as to residence, except on field crops, which shall be confined to residents of the county or district.

RULE 11. Competitors for premiums on field crops must have the land accurately measured and the product weighed or measured, and furnish satisfactory proof of same under oath. All statements with reference to premium crops should be forwarded to the secretary of the state board of agriculture.

RULE 12. Animals exhibited for premiums must be entered in the name of the *bona fide* owners; farm products in the names of the producers; domestic articles, manufactures, machinery and implements, as may be prescribed by the society.

RULE 13. County or district agricultural societies shall not sell or grant to any person or persons, or permit in any manner, the privilege of selling, dealing, or bartering in spirituous, vinous, or malt liquors in or about any building or anywhere on their fair grounds *at any time*.

RULE 14. County or district agricultural societies shall not in any way grant the privilege of, allow, or tolerate lottery devices, games of chance, or gambling of any kind, including pool selling, in or about any building or anywhere on their fair grounds, *at any time*.

RULE 15. Sections under Chapter 12, Title II, Part Second of the Revised Statutes of Ohio, and any other laws of the state relating to county or district agricultural societies, shall be complied with in all respects by county or district agricultural societies.

NOTE. Particular attention is called to the provisions of Section 3697, Revised Statutes of Ohio, requiring county or district agricultural societies to conduct their affairs in conformity to the Statutes of Ohio and *the rules of the Ohio State Board of Agriculture*. Certificates for per capita allowance will not be issued by the President of the Board unless the RULES of the Board have been strictly enforced.

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